FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

First Appeal No. 703/ 2005
(State of Mah. Vs. Rajaram Kisan Rathod through L.Rs. & others)

Appeal	District :
Application No.	of 200
Writ petition	

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mrs. T.D. Khade, A.G.P. for the appellant.

CORAM : Smt. Vasanti A. Naik, J.
DATED : 22nd August, 2007.

Heard the learned A.G.P. for the appellant-State.

The lands belonging to the respondents were acquired by the State of Maharashtra for the purpose of Minor Irrigation Project at Pimpri-Gaoli. Section 4 notification was issued on 5th July, 1991. It is brought to the notice of this Court that this Court had, by an order dated 17th August, 2007, dismissed three first appeals bearing First Appeal Nos. 633/2002, 38/2003 and 474/2003, and confirmed the judgment and Award passed by the reference Court by which the reference Court had granted the compensation @ Rs. 60,000/- per hectare to the claimants therein. In the matters in those three first appeals, Section 4 notifications were issued on 5/7/1990 and 19/9/1993. The reference Court had granted the compensation @

Rs. 60,000/- per hectare in the cases involved in those first appeals. In the instant case, though the notification is issued in the year 1991, i.e. in or about the time when the Section 4 notifications were issued in those three first appeals, the reference Court has granted the compensation in the instant case @ Rs. 30,000/- per hectare.

Therefore, for the reasons recorded in the order dated 17th August, 2007 in the aforesaid three first appeals, this first appeal is also liable to be dismissed. It cannot be said that the grant of compensation @ Rs. 30,000/- per hectare is on the higher side.

The first appeal is, therefore, dismissed with no order as to costs.

JUDGE

RMP